

**MARKS, O'NEILL, O'BRIEN,  
DOHERTY & KELLY, P.C.**  
Christian M. Scheuerman, Esquire  
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**ATTORNEYS FOR DEFENDANT  
Healthcare Revenue Recovery  
Group, LLC**

447-102973 (CMS/JRS)

Elaine Levins and William Levins, on  
behalf of themselves and others similarly  
situated

vs.

Healthcare Revenue Recovery Group,  
LLC d/b/a ARS Account Resolution  
Services

UNITED STATES  
DISTRICT COURT  
CAMDEN VICINAGE

DOCKET NO. 1:17-cv-00928-  
RBK-KMW

CIVIL ACTION

**NOTICE OF MOTION FOR  
SUMMARY JUDGMENT**

**PLEASE TAKE NOTICE** that on August 1, 2022, at 9:00 o'clock in the forenoon, or as soon thereafter as counsel may be heard, the undersigned, Jonathan R. Stuckel, Esq., attorney for Defendant, shall apply to the United States District

Court for the District of New Jersey, Camden Vicinage, for an Order granting summary judgment in favor of Defendant.

**PLEASE TAKE FURTHER NOTICE**, that the movant shall rely upon the annexed Brief in support of this motion. Oral argument is requested only if opposition is timely filed with the Court.

**MARKS, O'NEILL, O'BRIEN,  
DOHERTY & KELLY, P.C.**

/s/ Jonathan R. Stuckel

Christian M. Scheuerman, Esquire  
Jonathan R. Stuckel, Esquire  
Attorneys for Defendant,  
Healthcare Revenue Recovery Group, LLC

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**DECLARATION OF COUNSEL**

I, Jonathan R. Stuckel, Esquire, of full age, do hereby declare as follows:

1. I am an attorney-at-law, licensed to practice in the Federal District Courts of New Jersey, the Middle District of Pennsylvania, and the Western District of Pennsylvania, and I am an associate at the law firm of Marks, O'Neill, O'Brien, Doherty & Kelly, P.C., attorneys for Defendant Healthcare Revenue Recovery Group, LLC. I am fully familiar with the facts and circumstances of the above-captioned matter.

2. I make this declaration based on personal knowledge.

3. Exhibit A is a true and accurate copy of the complaint.

4. Exhibit B is a true and accurate copy of the first amended complaint.

5. Exhibit C is a true and accurate copy of the September 26, 2017 Order and Opinion.

6. Exhibit D is a true and accurate copy of the August 22, 2018 Third Circuit Opinion.

7. Exhibit E is a true and accurate copy of Plaintiffs' Rule 26 Disclosures.

8. Exhibit F is a true and accurate copy of Plaintiffs' Responses to Defendant's Interrogatories.

9. Exhibit G is a true and accurate copy of Judge Kugler's June 15, 2020 Order denying summary judgment.

10. Exhibit H is a true and accurate copy of ARS' trade name registration.

11. Exhibit I is a true and accurate copy of excerpts from the deposition transcript of David Friedlander.

12. Exhibit J is a true and accurate copy of ARS' Interrogatory responses.

13. Exhibit K is a true and accurate copy of HRRG's "Final Notice" Sample Letter.

14. Exhibit L is a true and accurate copy of the Declaration of David Friedlander.

15. Exhibit M is a true and accurate copy of ARS' November 30, 2015 collection letter sent to Plaintiffs.

Pursuant to 28 U.S.C. 1746, I declare under penalty of perjury that the foregoing is true and correct.

**MARKS, O'NEILL, O'BRIEN,  
DOHERTY & KELLY, P.C.**

/s/ Jonathan R. Stuckel

Jonathan R. Stuckel, Esquire

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**PROOF OF MAILING**

I, Jonathan R. Stuckel, Esq., hereby declare that on the date indicated below a copy of the summary judgment motion was served on counsel for Plaintiffs via ECF.

**MARKS, O'NEILL, O'BRIEN,  
DOHERTY & KELLY, P.C.**

/s/ Jonathan R. Stuckel

Christian M. Scheuerman, Esquire  
Jonathan R. Stuckel, Esquire  
Attorneys for Defendant,  
Healthcare Revenue Recovery Group, LLC

Date: July 5, 2022